

Decision No. C23-0743

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF COLORADO

PROCEEDING NO. 23M-0544W

IN THE MATTER ESTABLISHING THE INTEREST RATE ON CUSTOMER DEPOSITS
TO BE PAID BY JURISDICTIONAL WATER UTILITIES FOR CALENDAR YEAR 2024.

DECISION SETTING THE INTEREST RATE FOR 2024

Mailed Date: November 2, 2023

Adopted Date: November 1, 2023

I. BY THE COMMISSION

A. Statement

1. Pursuant to Commission Rule 5403 of the Rules Regulating Water, and Combined Water and Sewer Utilities, 4 *Code of Colorado Regulations* 723-5, a jurisdictional water utility may require a new or existing customer to pay a deposit if billing records are available and records indicate recent or substantial delinquencies. Payment of the deposit shall not relieve the customer of the obligation to pay current bills when due.

2. When a jurisdictional water utility accepts the deposit, it is obligated to pay simple interest on the amount paid at a percentage rate calculated by the Commission Staff in the manner described in Rule 5403(n)(II).

3. Provisions of Rule 5403(n)(II) requires the Commission's Staff to calculate the customer deposit interest rate using a 12-month average of rates quoted in the Federal Reserve Bulletin United States Treasury constant maturities for the period October 1 through

September 30 of the preceding year. This newly calculated simple interest per annum rate is compared to the existing customer deposit rate. If the difference is 25 basis points or more, then the new rate is to be used beginning January 1 of the following year. This provision is applicable, as the existing rate for calendar year 2023 is 1.69 percent, and the newly-calculated rate for 2024 is 4.93 percent. Accordingly, the newly-calculated simple interest per annum rate for water utilities accepting customer deposits is greater than the 25-basis-point differential threshold and a new rate for 2022 is necessary. Thus, the interest rate on customer deposits for the year 2022 will decrease to 0.08 percent.

4. If necessary, a utility shall file a new advice letter and tariff on not less than two business days' notice. The advice letter and tariff shall be filed as a new advice letter proceeding and shall comply with all applicable rules. In calculating the proposed effective date, the date the filing is received at the Commission is not included in the notice period and the entire notice period must expire prior to the effective date. The advice letter and tariff must comply in all substantive respects to this Decision in order to be filed as a compliance filing on shortened notice.

II. ORDER

A. The Commission Orders That:

1. The simple interest rate on deposits to be paid by jurisdictional water utilities for the calendar year 2024 shall increase to 4.93 percent.

2. To the extent necessary, utilities shall modify their tariffs to comply with this Decision. The compliance filing will be filed as a new advice letter filing and will not be filed

in the Proceeding number of this Decision. An advice letter and tariff change may not be required.

3. Pursuant to Rule 5420 of the Rules Regulating Water Utilities, and Combined Water and Sewer Utilities, 4 *Code of Colorado Regulations* 723-5, utilities failing to file the required compliance filing could be subject to up to a \$500.00 fine.

4. Additional information concerning required action is set forth in the accompanying notice. If you have any questions, please contact Dipesh Dipu, Financial Analyst, at Dipesh.Dipu@state.co.us.

5. This Decision is effective upon its Mailed Date.

**B. ADOPTED IN COMMISSIONERS' WEEKLY MEETING
November 1, 2023.**

(S E A L)



ATTEST: A TRUE COPY

Rebecca E. White,
Director

THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF COLORADO

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MEGAN M. GILMAN

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Commissioners